

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ERIC VON DRAKE

Petitioner

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Civil Action No. 3:08-MC-064-O
ECF

FINDINGS OF THE COURT

After making an independent review of the pleadings, files and records in this case, and of the Findings, Conclusions and Recommendation of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions and Recommendation of the Magistrate Judge are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

IT IS THEREFORE ORDERED that the petition to perpetuate testimony is hereby DENIED.

The clerk of court shall transmit copies of this order to petitioner.

SO ORDERED this 2nd day of December, 2008.


Reed O'Connor
UNITED STATES DISTRICT JUDGE